

named as a defendant, and the court would not approve “the medical staff” being named as a defendant. In short, these entities are not persons subject to suit.

Consequently, this particular complaint should be dismissed, but without prejudice to Plaintiff filing a new complaint, on the proper section 1983 forms, which corrects the defects of the present complaint. To further aid Plaintiff, the Clerk is instructed to send Plaintiff new section 1983 forms, instructions, an application to proceed *in forma pauperis*, and a copy of pertinent parts of Rule 8 of the Federal Rules of Civil Procedure (*i.e.* sections (a) and (e)).

In forma pauperis status is granted for the sole purpose of entering this Order and Recommendation.

IT IS THEREFORE ORDERED that *in forma pauperis* status is granted for the sole purpose of entering this Order. The Clerk is instructed to send Plaintiff section 1983 forms, instructions, an application to proceed *in forma pauperis*, and a copy of pertinent parts of Rule 8 of the Federal Rules of Civil Procedure (*i.e.* sections (a) and (e)).

IT IS RECOMMENDED that this action be filed and dismissed *sua sponte* without prejudice to Plaintiff filing a new complaint, on the proper section 1983 forms, which corrects the defects cited above.

A handwritten signature in black ink, appearing to read 'Wallace W. Dixon', written in a cursive style.

WALLACE W. DIXON
United States Magistrate Judge

April 21, 2009